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COMMITTEE ON RELATIONS WITH
THE HOST COUNTRY

LETTER DATED 14 MARCH 1997 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL AND ON THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

I request that the attached note verbale, No. HC-17-97, sent by the United States Mission to the United Nations to all permanent missions to the United Nations and Secretariat earlier today, be circulated as a document of the Committee on Relations with the Host Country.

(Signed) Victor MARRERO

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ANNEX

Note verbale No. HC-17-97 dated 14 March 1997 from the United States Mission to the United Nations addressed to all permanent missions and to the Secretariat

The United States Mission to the United Nations presents it compliments to the permanent missions to the United Nations and to the United Nations Secretariat, and has the honour to inform them that the City of New York has established a new programme to address the problems of diplomatic parking on city streets. The City has announced that this new programme will enter into effect on 1 April 1997.

The United States Department of State recognizes the authority of the City of New York to establish parking regulations within its boundaries. The Department of State has examined the City's new parking programme, and has concluded that it is consistent with the host country's obligations and responsibilities to the United Nations Organization and to the permanent missions of Member States accredited thereto.

The United States Mission draws the attention of the permanent missions and the United Nations Secretariat to the specific components of the new programme:

(a) The new parking programme applies only to vehicles bearing federal licence plates in the "D", "A" and "C" series. Vehicles bearing federal licence plates in the "S" series remain subject to the parking regulations in place for vehicles with licence plates issued by the various states of the United States;

(b) The New York City Commission for the United Nations and Consular Corps will ensure that each permanent mission has in place two allocated parking spaces for the mission itself and one allocated space for the residence of the permanent representative, provided that the residence is in the City of New York;

(c) The New York City Department of Finance will designate a person or an office responsible for reviewing parking tickets issued to diplomatic vehicles to ascertain which tickets are valid and which tickets were incorrectly issued and should therefore be dismissed. All tickets will be subject to review, including those tickets normally considered "non-amenable" because they were issued in response to a violation involving the public health or safety;

(d) The New York Police Department will establish a telephone "hot line" which the permanent missions may call to report unauthorized vehicles parked in their diplomatic parking areas. Such unauthorized vehicles would be subject to being towed from those parking spaces;

(e) The City of New York will continue to tow diplomatic vehicles when those vehicles are parked illegally in a space which presents a hazard to the public health and safety;

(f) The New York City Department of Finance will provide to each permanent mission and to the United Nations Secretariat a monthly computerized report of any and all parking tickets issued to vehicles with "D" or "A" series licence plates registered thereto and which remain outstanding. The New York Regional Office of the Office of Foreign Missions and the United States Mission to the United Nations will receive copies of those reports. The report will identify violations as outstanding for 30, 60 or more than 120 days;

(g) Each registrant of a vehicle which has received a ticket will be expected to either pay the fine associated with the ticket or to forward the ticket to the New York City Department of Finance with a plea of "not guilty". A decision concerning the validity of the ticket will then be made by a designated employee of the Department of Finance. The Department of Finance will further guarantee that a process is in place by which this decision might be appealed;

(h) If the registrant of a vehicle has not paid a ticket within one year of its issuance or has otherwise received notice that the ticket has been dismissed, the registrant will be considered "unresponsive". A registrant of a privately owned vehicle in the "D" series will be considered "unresponsive" with regard not only to the vehicle with the outstanding ticket but to all vehicles registered to that individual;

(i) The Office of Foreign Missions in New York will notify an "unresponsive" registrant, as defined in the preceding paragraph, that the vehicle or vehicles in question cannot be operated legally until all outstanding violations are addressed, either by payment of the appropriate fine or dismissal by the City of the ticket. The Office of Foreign Missions will further request that licence plates of the vehicle or vehicles in question be returned until the "unresponsive" registrant has satisfied his or her obligations. Should a vehicle of an "unresponsive" registrant be towed for a health or safety violation, its licence plates will be removed and it will not be released for operation without evidence of valid insurance and current State Department registration. The registrant may have the vehicle towed from the impoundment facility at his or her expense, but the vehicle may not be operated until such time as it is registered in conformity with State Department regulations;

(j) Registrants of any vehicle identified by the City of New York as having received one or more violations for parking in front of a fire hydrant during the period from 1 January to 1 April 1997 will be notified by the Office of Foreign Missions of the existence of an outstanding fire hydrant violation and will be requested to satisfy it. Any registrant so notified who receives any additional health or safety parking violation upon the commencement of the programme will be considered "unresponsive" at the point where the health or safety ticket remains outstanding for 30 days or more, and the provisions described in the preceding paragraph for "unresponsive" registrants will be applicable.

The United States Mission will arrange a series of orientation sessions to explain the various benefits of the new programme as well as the responsibilities of the permanent missions and their personnel with regard to the new parking policy. The permanent missions are invited to telephone the

United States Mission at (212) 415-4140 to arrange participation in one of the orientation sessions.

The United States Mission stresses that the City of New York has determined that its revised parking programme for diplomatic vehicles is necessary to reduce traffic congestion on the streets of that City; to ensure the public health and safety by clearing areas in front of police stations, fire stations, hospitals, fire hydrants, and bus and emergency vehicle lanes, and to assure equal access to parking by all persons who operate motor vehicles in the City. The United States Mission and the United States Department of State request that the United Nations community give the City its full support and cooperation in the pursuit of these worthy goals.

The United States Mission to the United Nations avails itself of this opportunity to renew to the permanent missions to the United Nations and to the United Nations Secretariat the assurances of its highest consideration.